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Attorneys for *Specially Appearing*
Defendants FRANK A. CRISTAUDO,
VERONICA S. BAITOVA, CRISTAUDO
HOLDINGS, LLC, DAPIT NA LLC,
MAXAFI HOLDINGS LLC, and
VERONICA WEBB PROJECT INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

EMBLAZE ONE INC., a Nevada
corporation,

Plaintiff,

vs.

FRANK A. CRISTAUDO, an
individual; VERONICA S.
BAITOVA, an individual;
CRISTAUDO HOLDINGS LLC, a
New York limited liability company;
DAPIT NA LLC, a Delaware limited
liability company; MAXAFI
HOLDINGS LLC, a New York
limited liability company;
VERONICA WEB PROJECT INC., a
New York corporation; and DOES 1-
20,

Defendants.

Case No. 2:25-cv-01813-RAO

**JOINT STIPULATION TO
TRANSFER VENUE TO THE
UNITED STATES DISTRICT
COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK**

Complaint Served: March 7, 2025
Response Due: March 28, 2025
New Response Date: April 25, 2025

[Assigned to the Hon. Rozella A. Oliver]

1 Plaintiff Emblaze One, Inc. (“Plaintiff”) and *Specially Appearing* Defendants
2 Frank A. Cristaudo, Veronica S. Baitova, Cristaudo Holdings, LLC, DapIt NA LLC,
3 Maxafi Holdings LLC and Veronica Webb Project Inc. (collectively “Defendants,”
4 and collectively with Plaintiff, the “Stipulating Parties”), by and through their
5 respective counsel, hereby stipulate as follows:

6 WHEREAS, Plaintiff filed its Complaint on March 3, 2025 (Dkt. 1);

7 WHEREAS, Defendants were served on March 7, 2025 (Dkt. 22, 23, 25, 27,
8 29);

9 WHEREAS, the Stipulating Parties initially agreed to a 20 day extension of
10 time for Defendants to respond to the Complaint;

11 WHEREAS, on April 15, 2025, the Stipulating Parties agreed by Joint
12 Stipulation to a further extension of time for Defendants to respond to the Complaint
13 to April 25, 2025 (Dkt. 32);

14 WHEREAS, Defendants each reside in the Southern District of New York or,
15 as to the entity Defendants, have their principal place of business in the Southern
16 District of New York;

17 WHEREAS, on April 18, 2025 counsel for the Stipulating Parties participated
18 in a conference of counsel pursuant to Local Rule 7-3 in an effort to resolve the
19 issues in Defendants’ proposed Motion to Dismiss pursuant to: Federal Rule of Civil
20 Procedure (“FRCP”) 12(b)(2) on the grounds that California lacks both general and
21 specific jurisdiction over Defendants; FRCP 12(b)(3) on the grounds that venue
22 does not lie in the Central District of California; FRCP 12(b)(6) on the grounds that
23 the RICO and fraud claims fail to state a claim against Defendants; and 28 U.S.C.
24 §1367(c)(2) on the ground that the Court should not exercise supplemental
25 jurisdiction over Plaintiff’s state claims;



1 WHEREAS, in resolution of the jurisdiction and venue issues raised by
2 Defendants, Plaintiff agreed to stipulate to transferring the action to the United
3 States District Court for the Southern District of New York pursuant to 28 U.S.C.
4 §1406(a);

5 WHEREAS, the action could have been brought in the United States District
6 Court for the Southern District of New York because venue is proper in the United
7 States District Court for the Southern District of New York and that court has
8 personal jurisdiction over all Defendants;

9 WHEREAS, the interests of justice favor transferring the action to the United
10 States District Court for the Southern District of New York rather than dismissal;

11 WHEREAS, the Stipulating Parties agree that, after the transfer, Defendants
12 may file their responsive pleading, including any Motion to Dismiss pursuant to
13 FRCP 12(b)(6) and 28 U.S.C. §1367(c)(2), and Defendants deadline to file such a
14 motion or other responsive pleading will be extended to 21 days after the transfer to
15 the United States District Court for the Southern District of New York is completed.

16 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the
17 Stipulating Parties, through their respective counsel, that:

18 1. This action could have been brought in the United States District Court
19 for the Southern District of New York because venue is proper in the Southern
20 District of New York and the Southern District of New York has personal
21 jurisdiction over all Defendants;

22 2. The interests of justice favor transferring the action to the United States
23 District Court for the Southern District of New York rather than dismissal;

24 3. This action shall be transferred to the United States District Court for
25 the Southern District of New York pursuant to 28 U.S.C. §1406(a);
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27
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4. Defendants' deadline to file their initial responsive pleading, including any Motion to Dismiss pursuant to FRCP 12(b)(6) and 28 U.S.C. §1367(c)(2), shall be extended to 21 days after the transfer to the United States District Court for the Southern District of New York is completed; and

5. If, for any reason, this action is not transferred to the United States District Court for the Southern District of New York based on this Joint Stipulation, Defendants' deadline to file their initial responsive pleading, including any Motion to Dismiss pursuant to FRCP 12(b)(2), 12(b)(3), 12(b)(6), and 28 U.S.C. §1367(c)(2), shall be extended to 10 days after the Stipulating Parties receive notice from the Court that the action will not be transferred by stipulation.

IT IS SO STIPULATED.

DATED: April 24, 2025

JULANDER, BROWN & BOLLARD

By: /s/ Dirk O. Julander

Dirk O. Julander
M. Adam Tate
Catherine A. Close
Attorneys for *Specially Appearing*
Defendants FRANK A. CRISTAUDO,
VERONICA S. BAITOVA, CRISTAUDO
HOLDINGS, LLC, DAPIT NA LLC,
MAXAFI HOLDINGS LLC, and
VERONICA WEBB PROJECT INC.

DATED: April 24, 2025

HEATH STEINBECK, LLP

By: /s/ Steven A. Heath

Steven A. Heath
Plaintiff EMBLAZE ONE, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2025, I electronically filed the foregoing paper(s) with the Clerk of the Court using the ECF system which will send notification to all parties of record or persons requiring notice.

/s/ Helene Saller

Helene Saller